

Decision

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Gurpreet Kaur, an individual, doing business as Royal Shuttle, to Transfer PSC Certificate 17337 to Royal Shuttle, LLC; and to establish a Zone of Rate Freedom.

Application 14-04-005
(Filed April 03, 2014)

D E C I S I O N G R A N T I N G A P P L I C A T I O N**Summary**

This decision grants the application to transfer, pursuant to Pub. Util. Code §§ 851, et seq., a passenger stage corporation certificate from Gurpreet Kaur, an individual, to Royal Shuttle, LLC. The Zone of Rate Freedom requested herein is granted.

Discussion

Gurpreet Kaur, an individual (Transferor), is authorized by Decision (D.) 04-04-050 to operate as an on-call Passenger Stage Corporation (PSC) to transport passengers and their baggage on an on-call basis (1) between points in Alameda, San Mateo, Santa Clara, Marin, and Contra Costa Counties, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand; and (2) between SFO and points in San Francisco County, on the one hand and OAK and SJC, on the other hand. Transferor does business as Royal Shuttle.

The application requests approval to transfer certificate PSC-17337 from Transferor to Royal Shuttle, LLC (Royal), a California limited liability company. No compensation will be paid by the Royal to the Transferor for the business and

certificate because Transferor Gurpreet Kaur is the president and a principal stockholder of the Royal, and the service will continue as it has been conducted in the past.

Attached to the application as Exhibit B is an unaudited balance sheet as of February 11, 2014 for Royal that discloses assets of \$7,000, and no liabilities. The balance sheet of Gurpreet Kaur is also included and shows assets of \$385,000, liabilities of \$45,000, and net worth of \$340,000. Ms. Kaur states she will advance whatever funds may be needed to support the service when it is transferred.

Royal seeks to establish a Zone of Rate Freedom (ZORF) of \$15 above and below proposed fares that are \$30 or less and \$25 above and below proposed fares of \$31 and above, with the minimum fare of \$5 per adult passenger.

Notice of filing of the application appeared in the Commission's Daily Calendar on April 04, 2014.

In Resolution ALJ 176-3334, dated April 10, 2014, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3334.

A California Environmental Quality Act review is not required for this decision because granting the transfer of the certificate does not change the service.

Safety Considerations

In order to be authorized to commence operations as a PSC, the Applicant must comply with the following requirements in order to protect public safety: Proof of insurance per General Order Series 101, compliance with the controlled

substance and alcohol testing program pursuant to Pub. Util. Code §1032.1 and General Order Series 158, and enrollment in the pull notice system as required by Section 1808.1 of the Vehicle Code.

Assignment of Proceeding

Denise Tyrrell is the assigned Examiner in this proceeding.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Findings of Fact

1. Transferor is operating as a PSC pursuant to D.04-04-050.
2. Royal is Royal Shuttle, LLC, a California limited liability company.
3. This application seeks approval to transfer certificate PSC-17337 from Transferor to Royal.
4. The proposed sale and transfer will not be adverse to the public interest.
5. Royal requests a ZORF of \$15 above and below proposed fares that are \$30 and less, and \$25 above and below proposed fares of \$31 and above. The minimum fare will be \$5 for all adult passengers.
6. No protest to the application has been filed.
7. A public hearing is not necessary.
8. A California Environmental Quality Act review is not required for this decision because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because granting the transfer of the certificate does not change the service.

Conclusions of Law

1. The proposed transfer is in the public interest and should be authorized.
2. The request for a ZORF should be granted.
3. Because the matter is uncontested, the decision should be effective on the date it is signed.
4. Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify these rights at any time.

O R D E R

IT IS ORDERED that:

1. Within 120 days from the effective date of this decision, Gurpreet Kaur, an individual, may transfer the operative rights specified in this application to Royal Shuttle, LLC, subject to the conditions contained in the following Ordering Paragraphs.
2. Royal Shuttle, LLC, a California limited liability company, shall:
 - a. File a written acceptance of this certificate within 30 days after this order is effective.
 - b. Establish the authorized service within 120 days after this order is effective, adopt Transferor's tariffs and timetables or issue new tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective and allow at least 10 days' notice to the Commission.
 - c. Comply with General Orders Series 101 and 158, and the California Highway Patrol safety rules.
 - d. Comply with the controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and General Order Series 158.

- f. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by the Commission to do so. Failure to comply with this filing will result in suspension and/or revocation of authority.
- e. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
- f. Enroll all drivers in the Pull Notice System as required by Vehicle Code § 1808.1.

3. Royal Shuttle, LLC, a California limited liability company, is authorized to begin operations on or after the date that the Safety and Enforcement Division mails a notice to Royal Shuttle, LLC, that its evidence of insurance and other documents required by Ordering Paragraph No. 2 have been filed with the Commission and that the California Highway Patrol has approved the use of Royal Shuttle, LLC, vehicles for service.

4. Royal Shuttle, LLC, a California limited liability company, is authorized to establish a zone of rate freedom of \$15 above and below proposed fares that are \$30 and less, and \$25 above and below proposed fares of \$31 and above. The minimum fare will be \$5 for all adult passengers.

5. The certificate of public convenience and necessity granted to Gurpreet Kaur, an individual, by Decision 04-04-050 is revoked on the date Royal Shuttle, LLC, a California limited liability company, is notified that it may commence operations as provided in Ordering Paragraph No. 3.

6. Before beginning service to San Francisco International Airport, Oakland International Airport, and San Jose International Airport, Royal Shuttle, LLC, a California limited liability company, shall notify the airport's governing body. Royal Shuttle, LLC, shall not operate into or on airport property without authority from the airport's governing body.

7. The certificate of public convenience and necessity to operate as PSC-33548, granted herein, shall expire unless exercised within 120 days after the effective date of this order.

8. The Application is granted as set forth above.

9. This proceeding is closed.

This order is effective today.

Dated , at San Francisco, California.

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-33548

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges.

All changes and amendments as authorized by
the Public Utilities Commission of the State of California
will be made as revised pages or added original pages.

Supersedes the authority heretofore granted to
Gurpreet Kaur, an individual, by Decision 04-04-050.

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SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

This certificate supersedes all passenger stage operative authority granted to Gurpreet Kaur, an individual.

Royal Shuttle, LLC, a California limited liability company, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on an "on-call" basis between the points described in Section II, over the routes described in Section III, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- b. The term "on-call," as used, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.
- c. No passengers shall be transported except those having a point of origin or destination as described in Section IIB.
- d. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.

SECTION II. SERVICE AREA.

- A. Points in the Counties of Santa Clara, Alameda, San Mateo, San Francisco, Marin, and Contra Costa.
- B. San Francisco International Airport (SFO)
 Oakland International Airport (OAK)
 San Jose International Airport (SJC)

SECTION III. ROUTE DESCRIPTION.

Route 1 – SJC/OAK/SFO

Commencing from any point in Section IIA (except San Francisco County), then over the most convenient streets, expressways, and highways to any airport described in Section IIB.

Route 2 – San Francisco/SFO

Commencing from any point in San Francisco County, or SFO, then over the most convenient streets, expressways, and highways to SJC or OAK.